

CMRS resale obligations:

- Does not oppose switch-based resale, provided that market-based rates for such resale arrangements are established. The paradigm in the Commission's Expanded Interconnection proceeding, however, is inappropriate in the wireless environment. (12-14)

RURAL CELLULAR ASSOCIATION

Interest: Association comprised of small cellular operators that provide service to rural locations.

Equal access:

Cellular equal access:

- Opposes imposition of mandatory equal access on CMRS providers. Studies have shown that customers are very concerned with decrease in the scope of the toll free calling area. Forcing equal access on cellular carriers will cause this and is therefore not in the public interest. (3-4)
- The RBOCs and McCaw are trying to use this proceeding to get out from the restraints of the MFJ. Larger IXC's are attempting to use government regulation to obtain a larger market share in the CMRS long distance marketplace rather than trying to compete effectively with smaller IXC's and long distance resellers. The FCC should allow competitive forces to govern the CMRS long distance market. (5)

CMRS resale obligations:

- Opposes mandating the provision of interconnection by cellular carrier to cellular resellers. The FCC must consider whether switch-based cellular resale is necessary or desirable. Commenters have questioned whether such a service is technically and financially viable and stated that disaggregating cellular switching and transport functions are not economically or technically feasible. (6-7)
- Forcing cellular carriers to enter into such arrangements would give resellers an unfair competitive advantage by allowing them to provide service functionally equivalent to licensed cellular service without any public interest obligations. (7-8)

RVC SERVICES, INC., d/b/a COASTEL COMMUNICATIONS CO.

Interest: Cellular licensee.

Equal access:

Cellular equal access:

- Proposes an exemption for small systems (one which serves less than 1,000 subscribers in its CGSA) from any equal access obligations imposed by the Commission. (1-2)
- Supports an exemption for cellular carriers operating in rural and/or low density areas. (2)
- Implementation costs will force some small carriers out of the market, reducing competition. (3)
- Equal access obligations will create few, if any, consumer benefits. Higher costs will be passed on to consumers. (3-4)
- An exemption for small systems would be consistent with past Commission treatment of small independent landline telephone companies and cable systems with fewer than 1,000 subscribers. (4-5)

SOUTHWESTERN BELL CORPORATION

Interest: Regional Bell Operating Company

Equal access:

Cellular equal access:

- Equal access obligations should not apply to any CMRS providers; wireless bottlenecks do not exist because there are alternate providers. (3)
- Equal access does not benefit the public because IXC's charge individual customers anticompetitive prices; IXC's have failed to provide innovations for cellular customers in equal access markets; and customers do not demand equal access. (4-5)
- Cellular customers care more about the availability of large local calling scopes over choice of long distance carriers. (6)
 - Equal access would make it impossible to provide large calling scopes because it would impose arbitrary parameters with toll charges. (7-8)

LEC/CMRS interconnection:

- LEC/CMRS interconnection should be negotiated by agreement instead of by tariff. (11)
- Mandatory interconnection is not required or desirable because CMRS providers do not control bottleneck facilities. (11-12)

CMRS/CMRS interconnection:

- The FCC should preempt any state-mandated CMRS/CMRS interconnection. (11)
- IXC's currently receive all the information they need to bill and collect for the service they provide. IXC's do not need access to CMRS providers' databases to prevent fraud. (15-16)

CMRS resale obligations:

- Mandatory interconnection between CMRS providers and resellers is not required or necessary. The economic, competitive and technical problems involved with reseller interconnection far outweigh any new features to reseller customers. (14)

TELEPHONE AND DATA SYSTEMS

Interest: Providers of LEC and cellular services.

Equal access:

Cellular equal access:

- Mandating equal access would injure the ability of cellular carriers to provide wide local calling areas. (3)
- The tentative conclusion favoring equal access is based on unproven assumptions about the beneficial effects of equal access on network usage and development of new services.
- The proponents of equal access fail to justify equal access in light of the wireless industry's emerging competitive environment. (4)
- The proponents of equal access do not provide evidence that equal access has had its intended effects in markets where one or both cellular licensees have been subject to its requirements. (5)
- The fact that some CMRS licensees are subject to burdensome/unnecessary regulation is not a valid reason to subject all CMRS licensees to such regulation. (5)
- Equal access will not promote increased competition among interexchange carriers. (6)

TIME WARNER TELECOMMUNICATIONS

Interest: Potential PCS provider.

Equal access:

Equal access for other CMRS providers:

- Supports the vast majority of commenters that oppose the imposition of equal access obligations on CMRS providers. Even the carriers who have already implemented equal access want to dispense with the requirements. (1)
- The administrative costs of implementing equal access are substantial. The imposition of such heavy costs will impose a heavy burden on start-up systems. The competitive marketplace, not burdensome regulations, should determine whether the costs of equal access outweigh the benefits. (2-3)
- Equal access would be too hard to implement due to the wide variety of service area definitions. (4-6)

Implementation:

- If the Commission does impose equal obligations, the costly administrative procedures of balloting, default allocation and 1+ presubscription should not be required. (3-4)

LEC/CMRS interconnection:

- Supports tariff filing requirements because the threat of competition from CMRS will cause LECs to impose high interconnection rates. (7)
- The mutual compensation scheme does not work when one party has substantially greater market power. Supports Comcast's "bill and keep" interconnection compensation model.

UNITED STATES TELEPHONE ASSOCIATION

Interest: Trade association of the exchange carrier industry.

LEC/CMRS interconnection:

- Opposes requiring LECs to file interconnection tariffs. Negotiated agreements have worked well and provide greater flexibility. (1)
- Additional safeguards (e.g., requiring a most favored nation clause or requiring that contracts be filed with the Commission) are not necessary and may inhibit competition. (2)

UTC, THE TELECOMMUNICATIONS ASSOCIATION

Interest: National representative of utilities on communications matters.

Equal access:

Cellular and other CMRS providers:

- Equal access obligations should not be extended to non-wireline, non-RBOC affiliated cellular carriers or other categories of CMRS. Equal access was developed to eliminate anticompetitive activities in the IXC market resulting from RBOC control of bottleneck facilities. This rationale does not exist for non-RBOC affiliated CMRS providers, since they do not have bottleneck facilities. (2-3)
- The limited support for imposing equal access obligations on all CMRS providers comes largely from the RBOC-affiliated cellular carriers currently subject to these obligations. They argue that it is unfair not to impose these obligations on all carriers, but this ignores that non-RBOC affiliated CMRS providers do not have control over bottleneck facilities. Even if this argument were accepted, it still would not make sense to extend such obligations beyond cellular providers, because other forms of CMRS do not have comparable market power and are not sufficiently developed to make a sound public policy decision at this time. (3-4)
- Imposition of equal access obligations on all CMRS providers would impose unnecessary expenses on CMRS providers that could impact their ability to offer competitive services. In addition, equal access obligations will frustrate CMRS carriers ability to share IXC discounts with consumers. Equal access also would make it more difficult for utilities to provide services which compete with the local loop. (9)

LEC/CMRS interconnection:

- Opposes requiring LECs to tariff interconnection with CMRS. Tariffs have insufficient flexibility and would impose unwanted transactional costs and service delays. The FCC should require LECs to make the rates and relevant terms of any previously entered carrier-to-carrier interconnection agreements available upon request to third parties seeking interconnection. (5-6)

CMRS/CMRS interconnection:

- CMRS-to-CMRS interconnection obligations would impose unwarranted burdens that could stifle the development of competitive service providers. Because, by definition, all CMRS systems are interconnected to the PSTN, there is no need to mandate interconnection between CMRS providers. (7)

VANGUARD CELLULAR SYSTEMS, INC.

Interest: Independent cellular provider

Equal access:

Cellular equal access:

- Mandatory equal access obligations for cellular CMRS providers are not in the public interest. Since there is no bottleneck in the wireless market and, as the FCC has recognized, there is already competition, equal access is unnecessary. (2-3)
- Equal access requirements will burden independent cellular providers with significant, unnecessary implementation and administrative costs that will have an especially severe impact on small and medium-sized carriers and their subscribers. (4-5)
- As has been shown by the experience of BOC-affiliated cellular carriers, equal access requirements will not result in lower prices to cellular customers. (5-6)
- Equal access will deprive customers of the benefits of regional clustering and innovative wide-area calling plans, forcing customers to pay long distance rates for calls that were previously within their "seamless" regional cluster. (6-7)
- Equal access will eliminate efficiencies realized from vertical integration or bundling of services. Independent mobile carriers will lose the ability to negotiate favorable volume discounts with particular IXC's and pass these savings on to customers through lower prices or development of network infrastructure. (7-8)
- The only benefits of equal access will fall to a small number of IXC's. Customers already have the choice of equal access by choosing service from a BOC-affiliated carrier in almost all markets. Since independent carriers are able to compete with the BOC-affiliated carriers, equal access cannot be such a benefit or independent carriers would have had to implement it already. In addition, almost all independent cellular

providers provide access to the carrier of the customer's choice through 800, 950, or 10XXX arrangements. (9)

- Equal access will actually reduce customer buyer power in the IXC business because these carriers no longer need to compete to serve the long distance traffic aggregated by the cellular carriers and can charge subscribers premium long distance rates with no accompanying benefits. It also eliminates IXC competition from a significant number of cellular providers that currently provide long distance service via resale or otherwise. (10-11)

Implementation:

- If, however, the FCC does mandate some form of equal access, the FCC should specifically tailor such obligations to the CMRS marketplace. For example, the FCC could require that customers be able to access the IXC of their choice, but not require "1+" presubscription for all carriers. This would eliminate many of the costs and other inefficiencies. Since 10XXX can be programmed into most handsets as a digital speed dialing option, this is effectively equivalent to "1+" dialing. (12)
- The FCC should not use LATA boundaries as the point of call handoff under any new equal access requirement. MTA areas are necessary to avoid stifling the continued development of the innovative, wide-area service offerings that customers demand. (12-13)

LEC/CMRS interconnection:

- Supports the market-based approach generally endorsed by the majority of commenters. The CMRS market would be better served by retention of the current practice of good faith negotiations rather than tariffs. (13)

CMRS/CMRS interconnection:

- There is no empirical or theoretical justification for mandating CMRS-to-CMRS interconnection or switch-based interconnection with cellular resellers. Such requirements will deter investment and result in inefficient interconnection. (13)

WILTEL, INC.

Interest: Long distance carrier.

Equal access:

Cellular equal access:

- Contrary to cellular carriers' comments, cellular carriers can serve customers beyond local areas under equal access; equal access will ensure that the carriers compete for these calls and that prices to customers are therefore reasonable. (3-5)
- The CMRS market is not sufficiently competitive to preclude the need for equal access requirements. (5-6)
- The basic precepts of equal access -- non-discriminatory interconnection and pricing, and choice of carriers -- have just as much value in a market composed of vertically integrated carriers as in one composed of IXCs and LECs. (6-7)

Implementation:

- Supports use of the equal access requirements developed for the AT&T/McCaw merger consent decree: 1+ access to IXCs; local service areas coextensive with LATAs; nondiscriminatory access to billing and CPNI; balloting and allocation; mandatory unbundling of IXC and local services; and an implementation schedule as brief as possible. (8-9)